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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,797	05/22/2007	Jed C. Friesen	57142-3	6868

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EXAMINER	
WASI, SHAFQAT	
ART UNIT	**PAPER NUMBER**
4127	
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04/28/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/595,797	FRIESEN, JED C.	
	Examiner	Art Unit	
	SHAFQAT WASI	4127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 May 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 May 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *5/11/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This communication is a First Office Action on the Merits. Claims 1-25 as originally filed, are pending and have been considered as follows.

Claim Objections

1. Claims 18-25 are objected to because of the following informalities:

As per claims 18-25, line 1, the recitation "A mounting assembly according to claim 17, ..." is confusing since these dependent claims are directed to a mounting assembly and the independent claim 17 is directed to a method of dispensing sections of a roll of sheet material. It is suggested to replace the preamble with --A method of dispensing sections of a roll of sheet material according to claim 17, …--.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. Claims 1-6, 9-12, 15-21 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vandersteene (US Pat. 5,597,135) in view of Paal et al. (US Pat. 6,364,245).

As per claim 1, Vandersteene discloses a fitting piece for attaching and locking a roller to guarantee a sales right for replacement rolls comprising,

a bung (see Fig. A below, bung) having a tubular body (see Fig. A below, tublar member) operative to tightly engage an interior of said central cylindrical opening and to resist withdrawal from said central cylindrical opening and a short cylindrical portion (see Fig. A below, short shaft) frangibly connected (see Fig. A below, frangible connection) to said tubular body (see Fig. A below, tubular member and col. 2, lines 1-4; disclose the sleeve being secured to the core, further the term frangibly is construed as a portion capable of being broken and therefore treated as such);

a receptacle (abstract, line 9, attachment point) mounted in the dispenser for receiving and retaining said short cylindrical portion(see Fig. A below, short shaft) in sliding engagement (abstract, lines 8-10; discloses a head with a notch which specifically fits into an attachment point of a roll holder).

However, Vandersteene does not explicitly disclose;

a main plate and a cover.

Paal et al., teaches of a tissue dispenser including a low friction mandrel comprising,

a main plate (Fig. 2, body 34) and a cover (Fig. 2, cover 36).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the fitting piece of Vandersteene to include a body and a cover as taught by Paal et al. in order to have a dispenser wherein the roll will easily rotate and not slide off the end of the mandrel.

As per claim 11, Vandersteene discloses a fitting piece for attaching and locking a roller to guarantee a sales right for replacement rolls comprising;

a bung (see Fig. A, bung) having a tubular body (see Fig. A below, tublar member) with a plurality of outwardly projecting ribs (Fig. 3, ribs 12) operative to tightly engage an interior cylindrical surface of said roll of sheet material and a short cylindrical portion (see Fig. A below, short shaft) frangibly connected (see Fig. A below, frangible connection) to said tubular body (see Fig. A below, tubular member and col. 2, lines 1-4; disclose the sleeve being secured to the core, further the term frangibly is construed as a portion capable of being broken and therefore treated as such);

a receptacle (abstract, line 9, attachment point) mounted in the dispenser for receiving and retaining said short cylindrical portion (see Fig. A below, short shaft) in sliding engagement (abstract, lines 8-10; discloses a head with a notch which specifically fits into an attachment point of a roll holder).

However, Vandersteene does not explicitly disclose;

a main plate and a cover.

a roll engagement element mounted on another of said base plate and said cover operative to slidably engage an end of said central cylindrical opening opposite to an end into which said bung is inserted.

Paal et al., teaches of a tissue dispenser including a low friction mandrel comprising,

a main plate (Fig. 2, body 34) and a cover (Fig. 2, cover 36).

a roll engagement element (Fig. 2, core support structure 42) mounted on another of said base plate (Fig. 2, back wall 40) and said cover (Fig. 2, cover 36) operative to slidably engage an end of said central cylindrical opening opposite to an end into which said bung is inserted (col. 3, lines 5-6; disclose the core support structure 42 are being used to slidably engage and support the roll of paper).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the fitting piece of Vandersteene to include a body, a cover and core support structure as taught by Paal et al. in order to have a dispenser wherein the roll will easily rotate and not slide off the end of the mandrel.

As per claim 17, Vandersteene discloses a method of fitting piece for attaching and locking a roller to guarantee a sales right for replacement rolls;

providing a bung (see Fig. A, bung) having a tubular body (see Fig. A below, tublar member) for insertion into an end of said roll (Fig. 2, roll 1) of sheet material and a short cylindrical portion (see Fig. A below, short shaft) frangibly connected (see Fig. A below, frangible connection) to said tubular body (see Fig. A below, tubular member and

col. 2, lines 1-4; disclose the sleeve being secured to the core, further the term frangibly is construed as a portion capable of being broken and therefore treated as such); and

inserting said bung (see Fig. A, bung) into an interior cylindrical surface of said roll (Fig. 2, roll 1) of sheet material to tightly engage said tubular body (see Fig. A below, tublar member) with said interior cylindrical surface (col. 2, lines 1-4; disclose the sleeve being secured to the core);

placing said short cylindrical portion (see Fig. A, below, short shaft) in rotational engagement with a receptacle (abstract, line 9, attachment point) mounted on the holder for receiving and retaining said short cylindrical portion (see Fig. A, short shaft) in rotational engagement (abstract, lines 8-10; discloses a head with a notch which specifically fits into an attachment point of a roll holder);

However, Vandersteene does not explicitly disclose;

a main plate and a cover;

placing an end of said central cylindrical opening opposite to an end into which said bung is inserted into rotational engagement with a roll engagement element mounted on another of said base plate and said cover.

Paal et al., teaches of a tissue dispenser including a low friction mandrel comprising,

a main plate (Fig. 2, body 34) and a cover (Fig. 2, cover 36).

placing an end of said central cylindrical opening opposite to an end into which said bung (see Fig. A below, bung) is inserted into rotational engagement with a roll engagement element (Fig. 2, core support structure 42) mounted on another of said

base plate (Fig. 2, back wall 40) and said cover (Fig. 2, cover 36 and col. 3, lines 5-6; disclose the core support structure 42 are being used to slidably engage and support the roll of paper).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the fitting piece of Vandersteene to include a body, a cover and core support structure as taught by Paal et al. in order to have a dispenser wherein the roll will easily rotate and not slide off the end of the mandrel.

As per claim 2, Vandersteene as modified discloses all of the structural limitations of the claimed invention as mentioned in claim 1 above. However, Vandersteene fails to explicitly disclose, a roll engagement element mounted on another of said main plate and said cover operative to slidably engage an end of said central cylindrical opening opposite to an end into which said bung is inserted.

Paal et al., teaches of a tissue dispenser including a low friction mandrel comprising,

a roll engagement element (Fig. 2, core support structure 42) mounted on another of said base plate (Fig. 2, back wall 40) and said cover (Fig. 2, cover 36) operative to slidably engage an end of said central cylindrical opening opposite to an end into which said bung is inserted (col. 3, lines 5-6; disclose the core support structure 42 are being used to slidably engage and support the roll of paper).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the fitting piece of Vandersteene to include a

receptacle with a back wall, a cover and an engagement element as taught by Paal et al. in order to have a dispenser wherein the roll sleeve will be held together and not slide off the end of the mandrel.

As per claims 5, 12 and 20, Vandersteene as modified discloses all of the structural limitations of the claimed invention as mentioned in claim 1, 11 and 17 above, and further discloses a dispenser, wherein said bung (see Fig. A below, bung) further includes a flange (see Fig. A below, flange) extending outwardly at an intersection of said short cylindrical portion (see Fig. A below, short shaft) and said tubular body (see Fig. A below, tubular member; disclose an outwardly extending flange at an intersection of tubular member and short shaft).

As per claims 3, 6, 18 and 21, Vandersteene as modified discloses all of the structural limitations of the claimed invention as mentioned in claim 1, 5, 17 and 20 above, and further discloses a dispenser, wherein said tubular body (see Fig. A below, tubular member) includes a plurality of outwardly directed projections (see Fig. 3; discloses a sleeve with a plurality of ribs).

As per claims 4 and 19, Vandersteene as modified discloses all of the structural limitations of the claimed invention as mentioned in claims 1 and 17 above, and further discloses a dispenser, wherein said plurality of outwardly directed projections extend

parallel to an axis of said tubular body (see Fig. 3; discloses a sleeve with a plurality of ribs running parallel to the sleeve).

As per claims 9, 15 and 24, Vandersteene as modified discloses all of the structural limitations of the claimed invention as mentioned in claims 1, 11 and 17 above, and further discloses a dispenser, wherein said tubular body (see Fig. A below, tubular member) has a round interior (see Fig. A, round interior) and a diameter larger than said short cylindrical portion (see Fig. A below, short shaft; discloses a tubular member having a larger diameter than the short shaft).

As per claims 10, 16 and 25, Vandersteene as modified discloses all of the structural limitations of the claimed invention as mentioned in claims 1, 11 and 17 above, but fails to disclose a dispenser, wherein said roll engagement element is a conical element insertable into said central cylindrical opening.

Paal et al., teaches of a tissue dispenser including a low friction mandrel, wherein said roll engagement element (Fig. 2, core support structure 42) is a conical element insertable into said central cylindrical opening (see Fig. 2 and col. 3, lines 5-6; disclose the core support structure 42 are being used to slidably engage and support the roll of paper).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the fitting piece of Vandersteene to include a

body, a cover and core support structure as taught by Paal et al. in order to have a dispenser wherein the roll will easily rotate and not slide off the end of the mandrel.

5. Claims 7-8, 13-14 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vandersteene in view of Paal et al. as applied to claims 1, 5, 17 and 20 above, and further in view of Brown et al. (US Pat. 1,919,769).

As per claims 7, 13 and 22, Vandersteene as modified discloses all of the structural limitations of the claimed invention as mentioned in claims 6, 12 and 21 above, but fails to explicitly disclose a dispenser, wherein said plurality of outwardly directed projections each have a point directed towards said flange operative to resist withdrawal of said bung.

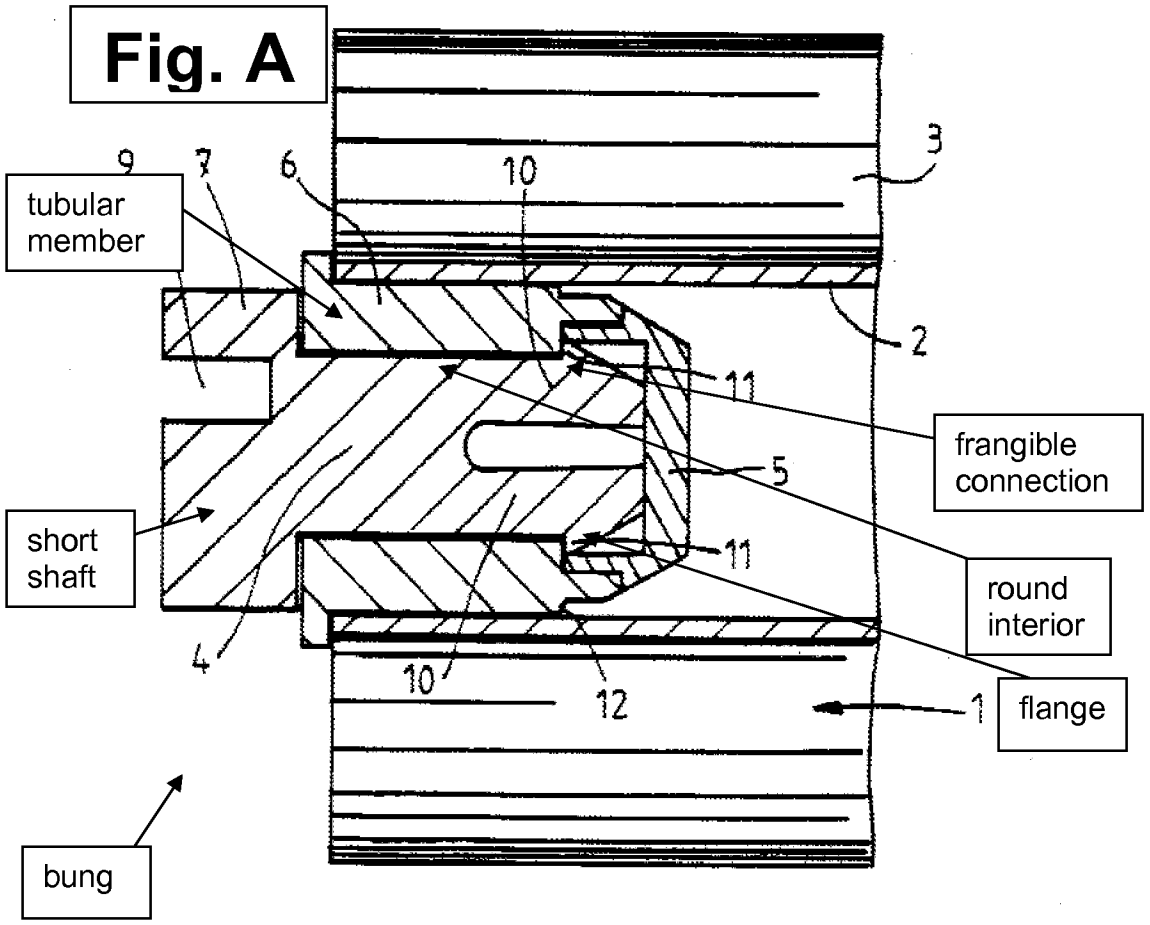
Brown et al. teaches of a core plug, wherein said plurality of outwardly directed projections (Fig. 2, ribs 6) each have a point directed towards said flange operative to resist withdrawal of said bung (see Fig. 1 and lines 36-47; disclose the ribs preventing the withdrawal of the core plug).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Vandersteene and Paal et al. to include a rib with a point to prevent the withdrawal of the core plug as taught by Brown et al. in order to have a core plugs with ribs easily inserted into the roll and is meant to provide a close fit inside the core.

As per claims 8, 14 and 23, Vandersteene as modified discloses all of the structural limitations of the claimed invention as mentioned in claims 3, 11 and 18 above, but fails to explicitly disclose a dispenser, wherein said plurality of outwardly directed projections have a sharp elongated edge.

Brown et al. teaches of a core plug, wherein said plurality of outwardly directed projections have a sharp elongated edge (see Fig. 1 and lines 36-47; disclose the ribs preventing the withdrawal of the core plug).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Vandersteene and Paal et al. to include a rib with a point to prevent the withdrawal of the core plug as taught by Brown et al. in order to have a core plugs with ribs easily inserted into the roll and is meant to provide a close fit inside the core.



Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kitamura et al (US Pat. 5,267,704) Paper roll supporting and holding device.

Neveu et al. (US Pat. 5,762,288) Anti-theft distributors for roll materials

Paal et al. (US Pat. 6,364,245) Toilet roll dispenser

Anderson (US Pub. 2007/0290094) Tissue dispenser

Bunting (US Pat. 3,417,939) Spindle for supporting reels or spools for rotation

Tilton (US Pat. 689,834) mounting rolls on shafts

Corres et al. (US Pat. 5,492,280) Pallet for transporting a textile bobbin to a machine

Moody et al. (US Pat. 5,370,339) Apparatus for dispensing web material and for resisting end-wise removal the roll

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHAFQAT WASI whose telephone number is (571)270-5731. The examiner can normally be reached on Monday-Friday 7:30-5:00 Alternate Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynda Jasmin can be reached on (571)272-6782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. W./
Examiner, Art Unit 4127

/Lynda Jasmin/
Supervisory Patent Examiner, Art Unit 4127